

C-O-N-T-E-N-T-S

CHAPTER 4 JUDICIARY

ARTICLE 1 MUNICIPAL COURT

- 4-1-1 Jurisdiction
- 4-1-2 Governing Procedures
- 4-1-3 Verbatim Record of Proceedings
- 4-1-4 Municipal Court Clerk
- 4-1-5 Court Costs
- 4-1-6 Payment of Funds

ARTICLE 2 PENALTY

- 4-2-1 Penalty
- 4-2-2 Application
- 4-2-3 Liability of Officers

CHAPTER 4

JUDICIARY

ARTICLE 1 MUNICIPAL COURT

- 4-1-1 Jurisdiction
- 4-1-2 Governing Procedures
- 4-1-3 Verbatim Record of Proceedings
- 4-1-4 Municipal Court Clerk
- 4-1-5 Court Costs
- 4-1-6 Payment of Funds

4-1-1 Jurisdiction. The Municipal Court shall have jurisdiction to hear and determine all suits and actions for violation of any of the provisions of this Code or other municipal ordinances, or for violations of the City Charter.

4-1-2 Governing Procedures. Actions for violations of the provisions of this Code or any other municipal ordinance or City Charter shall be governed by the requirements of the Municipal Court Rules of Procedures, as the same have been promulgated or may hereafter be amended by the Colorado Supreme Court, and by those Statutes¹ of the State of Colorado not in conflict with the terms of this Chapter.

4-1-3 Verbatim Record of Proceedings. The Municipal Court Judge and Municipal Court Clerk are hereby charged with the responsibility and duty of keeping a verbatim record of the proceedings and evidence at trials or other proceedings of the City by means of electric recording devices. The City Council shall provide all materials and facilities necessary for the keeping of such verbatim record.

4-1-4 Municipal Court Clerk. The City Council hereby establishes the position of Municipal Court Clerk, who shall be appointed by the Municipal Court Judge. The Municipal Court Clerk shall have such duties as are delegated by law, court ruling, or the Municipal Judge. The Municipal Court Clerk may serve without posting any bond whatsoever. (*Ord. 12-81, 2-3-81*)

4-1-5 Court Costs. The Municipal Court Judge is empowered and directed to assess court costs against any defendant who is found guilty of an ordinance violation, or City Charter violation, either after a plea of guilty or nolo contendere, or who enters into a plea agreement, or who, after trial, is found guilty of an ordinance or Charter violation in the amount of Fifteen Dollars (\$15.00). (*Ord. 92-2, 2-25-92*)

C.R.S. 13-10-101 et seq.

4-1-6 **Payment of Funds.** All fines, forfeitures, penalties, and costs collected for violations of any of the provisions of this Code, other municipal ordinances, or City Charter shall, as soon as collected, be paid to the Treasurer by the Municipal Court Clerk or Municipal Court Judge. The Treasurer shall make and deliver to the person paying said sums to them a receipt therefor. (*Ord. 12-81, 2-3-81*)

CHAPTER 4

JUDICIARY

ARTICLE 2 PENALTY

- 4-2-1 Penalty
- 4-2-2 Application
- 4-2-3 Liability of Officers

4-2-1 Penalty. Except where a different penalty is specifically provided in any section of this Code, or by ordinance, any person convicted of a violation of any section of this Code shall be fined in a sum of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment. (*Ord. 3-97*)

4-2-2 Application. The penalty provided in this Chapter shall be applicable to every Section of this City Code the same as though it were a part of each and every separate Section. Any person convicted of a violation of any Section of this City Code where any duty is prescribed or obligation imposed, or where any act which is of a continuing nature or declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this City Code.

In all cases where the same offense is made punishable or is created by different clauses or Sections of this City Code the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

Whenever the doing of act or the omission to do any act constitutes a breach of any Section or provision of this City Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply and a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

4-2-3 Liability of Officers. No provision of this City Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the governing body to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the Section creating the duty. (*1963 Code*)

